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Sheryl Claypool, Scott Claypool and Kristen Claypool

UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII

DENNIS CLAYPOOL, individually)	Civil No. CV04 00570 HG- BMK
and as Guardian Ad Litem for)	
KRISTEN CLAYPOOL, a minor,)	
SHERYL CLAYPOOL, SCOTT)	
CLAYPOOL, and KRISTEN)	DECLARATION OF JERRY
CLAYPOOL,)	PORTER
Plaintiffs,)	
vs.)	
)	
CAPTAIN ANDY'S SAILING, INC.,)	
BLUE DOLPHIN CHARTERS, LTD.)	
and BLUE DOLPHIN DIVING,)	
INC.,)	
Defendants.)	
)	

MATTHEW ISHAM, individually)	CIVIL NO. CV04-00559 HG-BMK
and as Guardian ad Litem for)	
HAYDEN ISHAM, a minor;)	
ROXANNE BEST ISHAM,)	
)	
Plaintiffs,)	
vs.)	
)	
BLUE DOLPHIN CHARTERS,)	
LTD. and BLUE DOLPHIN)	
DIVING, LTD., CAPTAIN)	
ANDY'S SAILING, INC.,)	
)	
Defendants.)	

IN THE MATTER OF THE)	Civil No. CV05-00037 HG BMK
COMPLAINT OF BLUE DOLPHIN)	
CHARTERS, LTD. AND TERRY)	
DONNELLY, AS OWNERS OF)	
THE VESSEL M/V BLUE)	
DOLPHIN, O/N 1082212, FOR)	
EXONORATION FROM AND/OR)	
LIMITATION OF LIABILITY)	

I, JERRY PORTER, hereby state and affirm that:

1. I am an adult resident of the State of Arizona. I have been a personal friend of Dennis Claypool for about 6 years.

2. Dennis and I attend the same church. Before the July 20, 2004 accident out in Kauai, I often saw Dennis help fellow members of our congregation with household chores, repairs and construction. He was extremely handy. On one occasion, I saw him effectively split a house into two so that the owner's in-laws could move in. We all knew we could call on him for tasks like this, and that he enjoyed doing them. After the accident, Dennis is no longer capable of providing this type of help. It is obvious to anyone who knows him how much he misses helping out the congregation. When it came to working with his hands and helping others in our church, Dennis truly and obviously enjoyed giving more than receiving. As a consequence, he is obviously very reluctant either to admit his incapacity and disability or to let others help him.

3. In addition to a garage full of hand tools, Dennis owns a truck and trailer. Before the accident, I often saw him use that trailer to help members of our congregation move from one home to another. He was exceptionally strong back then and capable of lifting and carrying very large items. Dennis hasn't been able to do any of this since the accident. Although the congregation understands, this too has obviously been very hard on him.

I have reviewed the foregoing declaration, and can confirm under penalty of perjury under the laws of the State of Hawaii that the facts and opinions contained

therein are true and correct, and personally known to me, and that if I were called as a witness herein, I could competently so testify under oath.

Executed on this ____ day of April, 2006, in the City of Mesa, State of Arizona.



Jerry Porter

State of Arizona
County of Maricopa

On 4/4/06 before me, Rachel M. Mata

personally appeared Jerry Porter, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person executed the instrument.



WITNESS my hand and official seal.



Signature of Notary Public